

**MISSISSIPPI BOARD OF PHARMACY  
MAY MEETING  
MAY 19, 2016**

**MINUTES**

The Mississippi Board of Pharmacy met at 9:00 o'clock a.m. on Thursday, May 19, 2016, in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi. The following members were present: James L. Calvert, President, Waymon Tigrett, Clayton A. Farmer, John T. Barrett and Phil Ayers. Board Member Guy Phillips was not present.

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At 9:07 a.m. a motion was made by Mr. Ayers to accept the Consent Agenda as presented and to attach a copy of the Agenda and Website Declaration of this meeting to the minutes. The motion was seconded by Mr. Barrett and with Mr. Ayers, Mr. Barrett, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES" the motion was approved.

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**CONSENT AGENDA**

The Board APPROVED and SIGNED BOARD MINUTES for the March 24th, 2016 meeting of the Mississippi Board of Pharmacy.

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With approval of all members present, the following pharmacy continuing education programs were APPROVED by the Board as follows:

- PROGRAM NUMBER: 004-001-016-001, "**New CDC Guidelines for Opioids**", as requested by Christa Curtis for 1 clock hour of pharmacy continuing education credit.
- PROGRAM NUMBER: 004-020-016-001, "**Clinical Pearl Review**", as requested by Jon Arnold and Hunter Reeves for 1 clock hour of pharmacy continuing education credit.
- PROGRAM NUMBER: 004-029-016-001, "**Entresto: A Heart Failure Treatment Breakthrough**", as requested by MPhA for 2 clock hours of pharmacy continuing education credit.
- PROGRAM NUMBER: 005-010-016-001, "**Overview of ASPEN/SCCM Nutrition Support Guidelines**", as requested by Richard Ogletree for 1 clock hour of pharmacy continuing education credit.
- PROGRAM NUMBER: 005-018-016-001, "**Pharmacologic Options for Treatment of Submassive Pulmonary Embolism**", as requested by Whitney Rogers for 1 clock hour of pharmacy continuing education credit.

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With approval of all members present, the Board APPROVED the following travel and attendance requests for Compliance Agents, Board Members and Staff:

- The Mississippi Association of Physician Assistants (MAPA), to be presented May 19 – 20, 2016, in Biloxi, Mississippi.
- The Mississippi State Medical Association (MSMA) 14<sup>th</sup> Annual Summer CME Seminar, to be presented May 27 – 31, 2016, in Sandestin, Florida.
- The Mississippi Pharmacist's Association (MPhA) Annual Convention, to be presented June 18 – 22, 2016, in Sandestin, Florida.
- The National Association of Boards of Pharmacy (NABP) Program Update, to be presented June 28 – 29, 2016, in Mt. Prospect, Illinois.
- The National Association of Boards of Pharmacy (NABP) Prescription Monitoring Program Interconnect (PMPi) Steering Committee and National Association of State Controlled Substance Authorities (NASCSA) Model Drug Act to be presented July 19 – 23, 2016, in Mt. Prospect, Illinois.

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The following candidates have met all of the requirements for licensure by transfer and the Board APPROVED the issuance of licenses for the following pharmacists.

NAME	LICENSE NUMBER	STATE
Ashley L. Altizer	T-14444	Tennessee
Bridget W. Archer	T-14281	North Carolina
Soumar Arzouni	T-14367	Kansas
Mina Baghzouz	T-14304	Arizona
Sheila A. Bizune	T-14222	North Carolina
Ruth Aveigail R. Capapas	T-14353	Illinois
Arielle P. Castex	T-14254	Florida
Joy P. Cherry	T-14392	Alabama
Gloria L. Christiansen	T-14437	Illinois
Shemeeka C. Dortch	T-14325	Georgia
Jennifer M. Fernandez	T-14313	Florida
Young H. Gim	T-14317	Pennsylvania
Erin E. Harris	T-14341	Tennessee
Carl Harting	T-14335	Pennsylvania
Monica M. Hartman	T-14441	Louisiana
Ashley S. Hempfling	T-14302	Tennessee
Huy D. Hoang	T-14400	California
Daniel Horn	T-14164	New York
Joseph C. Hunt	T-14329	Alabama

Joshua N. Jacobs	T-14246	Oklahoma
Lisa K. Judice	T-14340	Louisiana
Christopher E. Kennedy	T-14350	Washington
Jennnier J. Kil	T-14312	Illinois
Karen Kim	T-14284	Illinois
Bret A. Koertge	T-14431	Tennessee
Ashkan S. Kohanpour	T-13870	California
Phong Q. Ly	T-13934	California
Sharon A. Martin	T-14307	Texas
LaChandra S. McGowan	T-13963	Louisiana
Jane L. Montijo	T-14266	Texas
Whitney L. Morales	T-14339	Arkansas
Kayla M. Moses	T-14294	Louisiana
Oliva H. Nguyen	T-14236	Indiana
Cromartie J. Nickerson	T-14291	Florida
Pritesh Patel	T-14321	Texas
Sangita Patel	T-14258	Florida
Percy W. Ripple, III	T-14295	Tennessee
Marc I. Rosenthal	T-14093	Florida
Keith D. Rubrum	T-14132	New York
Danielle R. Smith	T-14305	Florida
James R. Stafford, II	T-13931	Louisiana
Michael J. Sterling	T-14230	California
Michael R. Strickland	T-13933	Alabama
Sara L. Sulzner	T-14280	Tennessee
Grace E. Thacker	T-14405	Louisiana
Bhavesh Thakrar	T-14009	New Jersey
Sy Q. Tran	T-14346	Georgia
Dana Van Buren	T-14327	Louisiana
Seth A. Vanek	T-14299	Nebraska
Wilson Vong	T-14407	California
Adam L. Walters	T-14326	Florida
Matthew C. Wilson	T-14271	Tennessee
Anthony M. Wiseman	T-14412	Arizona
Heejeong Yoon	T-14153	Florida
David M. Zdun	T-14092	Pennsylvania

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The following candidates have met all of the requirements for licensure by examination and the Board APPROVED the issuance of licenses for the following pharmacists.

NAME	LICENSE NUMBER
Monica W. Woods	E-13977
Paul R. Lester	E-14264
Jessica N. Nguyen	E-14401

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BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
SURRENDER OF PHARMACIST LICENSE

IN THE MATTER OF:  
DANNY R. MYERS  
35 CRESTWICK CIRCLE  
HATTIESBURG, MS 39402

CONCLUSIONS OF LAW

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Danny R. Myers (Pharmacist Certificate of Registration Number E-06260) pursuant to Section 73-21-97, (1), (f), Mississippi code of 1972, Annotated.

PROCEEDINGS

Danny R. Myers agreed to make a voluntary surrender of his Pharmacist License following his admission to the unauthorized personal use of controlled substance drugs which he obtained without authorization and without a valid prescription.

With approval of all members, the voluntary surrender of Mr. Myers' Pharmacist License was accepted.

IT IS ORDERED:

ORDER OF THE BOARD

That the Board "ACCEPTS" the voluntary surrender of the Pharmacist License of Danny R. Myers (Pharmacist Certificate of Registration Number E-06260); and

Further, that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and the ORDER OF THE BOARD to be served on Mr. Myers and a copy placed in his personal file in the office of the Board.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
SURRENDER OF PHARMACIST LICENSE

IN THE MATTER OF:  
MELISSA A. ANDREWS  
3140A HIGHWAY 178  
MOOREVILLE, MS 38857

CONCLUSIONS OF LAW

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Melissa A. Andrews (Pharmacist Certificate of Registration Number E-07526) pursuant to Section 73-21-97, (1), (f), Mississippi code of 1972, Annotated.

PROCEEDINGS

Melissa A. Andrews agreed to make a voluntary surrender of her Pharmacist License following her admission to the unauthorized personal use of the controlled substance drugs Methadone and Suboxone which she obtained without authorization and without a valid prescription from the Institutional Pharmacy where she was employed as a Pharmacist.

With approval of all members, the voluntary surrender of Ms. Andrews' Pharmacist License was accepted.

IT IS ORDERED:

ORDER OF THE BOARD

That the Board "ACCEPTS" the voluntary surrender of the Pharmacist License of Melissa A. Andrews (Pharmacist Certificate of Registration Number E-07526); and

Further, that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and the ORDER OF THE BOARD to be served on Ms. Andrews and a copy placed in her personal file in the office of the Board.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
SURRENDER OF PHARMACY TECHNICIAN REGISTRATION

IN THE MATTER OF:  
MARILYN J. TRIMBLE  
1002 GRADY ROAD  
EUPORA, MS 39744

CONCLUSIONS OF LAW

The Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Marilyn J. Trimble (Pharmacy Technician Registration Number PT-03983) pursuant to Section 73-21-97, (1), (f), Mississippi code of 1972, Annotated.

### PROCEEDINGS

Marilyn J. Trimble agreed to make a voluntary surrender of her Pharmacy Technician Registration following her admission to the theft of funds from the community chain pharmacy where she was employed as a Pharmacy Technician.

With approval of all members, the voluntary surrender of Ms. Trimble's Pharmacy Technician Registration was accepted.

IT IS ORDERED:

### ORDER OF THE BOARD

That the Board "ACCEPTS" the voluntary surrender of the Pharmacy Technician Registration of Marilyn J. Trimble (Pharmacy Technician Registration Number PT-03983); and

Further, that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and the ORDER OF THE BOARD to be served on Ms. Trimble and a copy placed in her personal file in the office of the Board.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Pharmacist Sarah L. McDonald (Pharmacist Certificate of Registration No. E-013992) submitted a request to the Board that she be allowed to serve as a consultant pharmacist to institutional (LTC) facilities without having attended the qualifying seminar.

With approval of all members present, Ms. McDonald's request for a waiver of the qualifying seminar was GRANTED provided she attends the next qualifying seminar.

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Pharmacist Michael W. Williams (Pharmacist Certificate of Registration No. T-013911) submitted a request to the Board that he be allowed to serve as a consultant pharmacist to institutional (LTC) facilities without having attended the qualifying seminar.

With approval of all members present, Mr. Williams' request for a waiver of the qualifying seminar was GRANTED provided he attends the next qualifying seminar.

### **CONCLUSION OF CONSENT AGENDA**

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Meg Pearson, with the Mississippi State Department of Health Pharmacy and Chairman of the Mississippi Prescription Monitoring Program Advisory Committee provided an update to the Board on the operations of the Committee. In addition, Ms. Pearson, the outgoing Chair of the Committee, informed the members of the Board of the results of the election of officers of the Committee. Dana Crenshaw, Director of the Mississippi Prescription Monitoring Program has been selected by the Committee to serve as Chairman. Dr. Tom Joiner was selected as Vice-

Chair and Lynn Langley, with the Mississippi Board of Nursing was selected as Secretary. On a motion by Mr. Barrett, with a second to the motion by Mr. Farmer, and unanimous vote of all members present, the Board APPROVED the officers selected.

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Pharmacy Board Deputy Director, Steve Parker, provided an update to the Board on the recent Legislative Session and matters that may impact the practice of Pharmacy and the Pharmacy Practice Regulations as well as the operations of the Board.

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Pharmacy Board Compliance Agent Raymond Keith informed the Board of matters presented at the National Prescription Drug Abuse & Heroin Summit presented in Atlanta, Georgia and the Governor's Drug Abuse Summit presented at the Mississippi Law Enforcement Training Academy in Pearl, Mississippi.

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Pharmacy Board Executive Director Frank Gammill informed the Board of the need for working e-mail addresses for pharmacists, pharmacy technicians and other permittees and registrants of the Board with the move to on-line processing of applications.

After discussion, a motion was made by Mr. Barrett to include a request for working e-mail beginning with next applications sent out by the Board. The motion was seconded by Mr. Ayers and with unanimous vote of all members present, the motion was APPROVED.

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At 10:03 a.m., the Board had further discussion on proposed revisions to the Pharmacy Practice Regulations regarding a change in the ratio of Pharmacy Technicians to Pharmacists.

After discussion, a motion was made by Mr. Barrett to amend language in ARTICLE VIII, ARTICLE XXIX and ARTICLE XL of the Pharmacy Practice Regulations to reflect that the Pharmacy Technician/Pharmacist ratio is changed to 3 Pharmacy Technicians to 1 Pharmacist. The motion was seconded by Mr. Ayers and with Mr. Barrett, Mr. Ayers, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES" the motion was approved. A true and correct copy of the proposed revisions to the Regulations as recommended by Mr. Barrett is attached hereto and incorporated herein these Minutes.

Pharmacy Board Deputy Director, Steve Parker, informed the Board of measures that must be followed to implement such regulatory changes with an expected approximate completion date of August 1, 2016. Mr. Parker was requested to notify interested parties of such proposed changes.

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At 10:09 a.m., Glen Pruitt, with GAP Consulting, met with the Board regarding proposed revisions to the Wholesaler/Manufacturer Regulations in the Pharmacy Practice Regulations. Mr. Pruitt is employed by the Board as a consultant to assist in development of Wholesaler/Manufacturer Regulations to assure compliance with rules and regulations of the U. S. Food and Drug Administration (FDA).

Mr. Pruitt informed the Board of his proposed regulation revisions. After consideration of Mr. Pruitt's recommendations, a motion was made by Mr. Ayers to accept the changes as outlined by Mr. Pruitt. The motion was seconded by Mr. Barrett and with Mr. Ayers, Mr. Barrett, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES" the motion was approved. A true and correct copy of the proposed revisions to the Regulations as recommended by Mr. Pruitt is attached hereto and incorporated herein these Minutes.

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At 10:18 a.m., Board Member Waymon Tigrett requested that the Board consider amendments to TITLE 30, PART 3002; ADMINISTRATIVE RULES of the Board. Specifically, to Section 73-21-79, paragraph (2), regarding the Executive Director of the Board, which states in part: "He shall devote full time to the duties of his office and shall not be interested directly or indirectly as defined in Section 73-21-73 in the operation of a pharmacy in Mississippi or any other facility permitted by the board or engaged in any other business that will interfere with the duties of his office." A motion was made by Mr. Tigrett that such language be revised to: "He shall devote full time to the duties of his office and shall not be engaged in any other business that will interfere with the duties of his office". Such language coincides with present language of Section 73-21-79, paragraph (2), of the Mississippi Code of 1972. A second to the motion was made by Mr. Farmer and with Mr. Tigrett, Mr. Farmer, Mr. Calvert, Mr. Barrett and Mr. Ayers voting "YES", the motion was approved.

Pharmacy Board Deputy Director Steve Parker requested that the Board consider adoption of recent changes in Statute regarding the Mississippi Prescription Monitoring Program into Board Regulations addressing the Prescription Monitoring Program (PMP). After review and consideration of Mr. Parker's request, a motion was made by Mr. Ayers to incorporate recent Statute changes regarding the Prescription Monitoring Program into Regulations of the Board. The motion was seconded by Mr. Barrett and with Mr. Ayers, Mr. Barrett, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES", the motion was approved. A true and correct copy of the proposed revisions to the Pharmacy Practice Regulations is attached hereto, incorporated herein these Minutes.

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At 10:23 a.m., Pharmacy Board Executive Director Frank E. Gammill, Jr., requested that the Board approve renewal of Contracts of those Contractual Employees employed by the Board. After consideration of Mr. Gammill's request, a motion was made by Tigrett to APPROVE



extension of the Contracts for a period of one (1) year. The motion was seconded by Mr. Barrett and with Mr. Tigrett, Mr. Barrett, Mr. Calvert, Mr. Ayers and Mr. Farmer voting "YES" the motion was approved.

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Came on the matter of Pharmacy Technician Dallas N. Hudson (Pharmacy Technician Registration Number PT-012017), herein also referred to as Registrant, pursuant to a "Notice of Hearing and Complaint" as filed by the Mississippi Board of Pharmacy.

## BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:  
DALLAS N. HUDSON  
10680 SHORECREST ROAD  
BILOXI, MS 39532

### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Pharmacy Technician Dallas N. Hudson pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

### STATEMENT OF CHARGES

#### COMPLAINT COUNT I

#### REGISTRATION TO SERVE AS A PHARMACY TECHNICIAN

WHEREAS, on April 11, 2016, a "Notice of Hearing and Complaint" was issued on behalf of the Mississippi Board of Pharmacy by Frank E. Gammill, Jr., Executive Director of the Mississippi Board of Pharmacy for service on Dallas N. Hudson, Registrant, which "Complaint" charged Registrant with:

1. Violation of ARTICLE XL, PHARMACY TECHNICIANS, paragraph 5., H., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, Registrant was responsible for the unlawful disclosure of patient medical, personal or dispensing information which is deemed confidential from Burnham-McKinney Pharmacy #5, 608 Howard Avenue, Biloxi, Mississippi where she was employed as a Pharmacy Technician by unlawfully accessing information in the Mississippi Prescription Monitoring Program.

### PROCEEDINGS

This cause came before the Board for a Hearing on May 19, 2016, at 10:26 a.m. in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to a "Notice of Hearing and Complaint". The following Members of the Board were present: James L. Calvert, President, John T. Barrett, Waymon Tigrett, Clayton A. Farmer and Phil Ayers. Board member Phil Ayers was "RECUSED" from the proceedings and Board member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the office of Attorney General, served as Counsel for the Board; and

The Registrant, having personally appeared, was represented by the Honorable Nathan Bosio, Attorney-At-Law. A true and correct copy of the Notice of Hearing and Complaint,

together with all exhibits attached thereto and incorporated therein, was offered into evidence by Counsel for the Board. The Registrant noted that there was no objection to the introduction of the same into the record.

Prior to the hearing date, Mr. Bosio requested an Informal Settlement Conference. The members of the Investigative Review Committee (IRC), Mr. Ayers and Mr. Morgan, responsible for the Order causing the Notice of Hearing and Complaint to be issued, were consulted regarding a settlement agreement to be presented to the full Board. After discussion, the following action was agreed and proposed by the Committee to other Board members present.

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IT IS ORDERED:

PROPOSED FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Registrant and a copy placed in her personal file in the office of the Board; and

That the Pharmacy Technician Registration issued to Dallas N. Hudson (Pharmacy Technician Registration No. PT-012017), is hereby SUSPENDED FOR A PERIOD OF SIX (6) MONTHS effective immediately; and

That pursuant to Section 73-21-103, paragraph (1), (d), (ii), Registrant shall pay a monetary penalty in the amount of one-thousand dollars (\$1,000.00) for the first violation of the Pharmacy Practice Regulations and a monetary penalty in the amount of one-thousand dollars (\$1,000.00) on each of the next four (4) violations of the Pharmacy Practice Regulations for a total monetary penalty of five-thousand dollars (\$5,000.00). Said monetary penalty is due and payable in the office of the Board within twelve months of the date of this ORDER.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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That the following FINDINGS OF FACT AND CONCLUSIONS OF LAW, as contained herein, are supported by substantial evidence that is clear and convincing; and

NOW, THEREFORE, PREMISES CONSIDERED, the Mississippi Board of Pharmacy, by unanimous vote of those members voting, finds;

FINDINGS OF THE BOARD

- (1) That the Registrant was properly notified of the charges by a duly processed Notice of Hearing and Complaint as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated; and
- (2) That the Registrant made no objection to the timeliness of the "Notice of Hearing and Complaint" or the specificity of the charges; and
- (3) That the Registrant, was advised of her right to subpoena witnesses and documents, to cross examine witnesses, present testimony, evidence and arguments and of her right to the assistance of an attorney, and was represented by the Honorable Nathan Bosio, Attorney-At-Law; and

- (4) The Board FINDS AS A FACT that it has jurisdiction and that Registrant does not wish to contest the charges as alleged in the “Notice of Hearing and Complaint”, but seeks to settle the matter informally. As the Registrant does not contest the charges, the Board finds:
- (5) That as to paragraphs A. and B., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that the Registrant was issued a Pharmacy Technician Registration by the Board, Registration Number PT-012017 and as such was subject to the jurisdiction of the Board pursuant to Section 73-21-97 paragraph (1), (f), Mississippi Code of 1972, Annotated; and
- (6) That as to paragraph C., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT that Registrant was responsible for the unlawful disclosure of patient medical, personal or dispensing information which is deemed confidential from Burnham-McKinney Pharmacy #5, 608 Howard Avenue, Biloxi, Mississippi where she was employed as a Pharmacy Technician by unlawfully accessing information in the Mississippi Prescription Monitoring Program.

That a Proposed Final Order of the Board, as recommended by the members of the Investigative Review Committee (IRC), was submitted to the Board for consideration.

#### ACTION OF THE BOARD

That after introduction of the “Notice of Hearing and Complaint” into the official record, no objection by the Registrant to the charges and the presentation of the proposed Informal Settlement of the matter by the Investigative Review Committee (IRC), the Board sustains the charge as outlined above and as contained in the “Notice of Hearing and Complaint” as entered into the official record. A motion was offered by Mr. Barrett and seconded by Mr. Tigrett to ACCEPT the PROPOSED FINAL ORDER OF THE BOARD, as recommended by the members of the Investigative Review Committee (IRC). With Mr. Barrett, Mr. Tigrett, Mr. Calvert and Mr. Farmer voting “YES”, with Mr. Ayers “RECUSED” and Mr. Phillips not present, the motion was approved.

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Registrant and a copy placed in her personal file in the office of the Board; and

That the Pharmacy Technician Registration issued to Dallas N. Hudson (Pharmacy Technician Registration No. PT-012017), is hereby SUSPENDED FOR A PERIOD OF SIX (6) MONTHS effective immediately; and

That pursuant to Section 73-21-103, paragraph (1), (d), (ii), Registrant shall pay a monetary penalty in the amount of one-thousand dollars (\$1,000.00) for the first violation of the Pharmacy Practice Regulations and a monetary penalty in the amount of one-thousand dollars (\$1,000.00) on each of the next four (4) violations of the Pharmacy Practice Regulations for a

total monetary penalty of five-thousand dollars (\$5,000.00). Said monetary penalty is due and payable in the office of the Board within twelve months of the date of this ORDER.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Came on the matter of Bryan M. Treanor, Pharmacist Certificate of Registration Number E-010793, herein also referred to as Respondent, pursuant to a “Notice of Hearing and Complaint” filed by the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
IN THE MATTER OF:  
BRYAN M. TREANOR  
1769 BRECON DRIVE  
JACKSON, MS 39211

CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Bryan M. Treanor, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

COMPLAINT COUNT I

LICENSE TO PRACTICE PHARMACY NUMBER E-010793

On April 12, 2016, a “Notice of Hearing and Complaint” was issued on behalf of the Mississippi Board of Pharmacy by Frank E. Gammill, Jr., Executive Director of the Mississippi Board of Pharmacy, for service on Bryan M. Treanor, Respondent, which “Complaint” charged Respondent with:

1. Violation of ARTICLE V, paragraph 1., I., ACTION AGAINST PHARMACIST LICENSE, of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, Respondent failed to comply with a lawful ORDER of the Board of January 21, 2016, by failing to comply with his contract with the Mississippi Association of Recovering Pharmacists (MARP). Specifically, Respondent failed to report for a drug screen within 24 hours of notification by an MARP representative and the drug screen submitted by the Respondent on March 31, 2016, had out of range parameters.

PROCEEDINGS

This cause came before the Board for a Hearing on May 19, 2016, at 10:30 a.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi pursuant to said “Notice of Hearing and Complaint”. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Clayton Farmer and Phil Ayers. Board Member Phil Ayers was “RECUSED” from the proceedings and Board member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the office of Attorney General, served as Counsel for the Board; and.

The Respondent, having personally appeared, stated that he had received a copy of the Notice of Hearing and Complaint, that he had read the same, and that he understood the charges. Respondent acknowledged that he understood his right to be represented by counsel and waived that right. Respondent did not desire that there be a formal reading of the Complaint. Respondent indicated that he was ready to proceed with the hearing of the Charge contained in the Complaint.

The Board proceeded to hear testimony and evidence regarding the charge as contained in the "Notice of Hearing and Complaint". A true and correct copy of the Notice of Hearing and Complaint, together with all exhibits attached thereto and incorporated therein, was offered into evidence by Counsel for the Board as Exhibit "1". A true and correct copy of the Prior History of the Respondent with the Board, was offered into evidence by Counsel for the Board as Exhibit "2". True and correct copies of the results of the analysis of drug screens submitted by Respondent at Jolimar Recovery Center, Summit, Mississippi were offered into evidence by Respondent as Composite Exhibit "3".

The Board heard testimony and evidence as presented by the Respondent, Counsel for the Board and Pharmacy Board Compliance Agent Sid Seal.

That the following FINDINGS OF FACT AND CONCLUSIONS OF LAW, as contained herein are supported by substantial evidence that is clear and convincing; and

NOW, THEREFORE, PREMISES CONSIDERED, the Mississippi Board of Pharmacy, by unanimous vote of those members voting, finds;

#### FINDINGS OF FACT

- (1) That the Respondent was properly notified of the charges by a duly processed Notice of Hearing and Complaint as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated; and
- (2) That the Respondent was properly advised of the charges both by having been duly served with the "Notice of Hearing and Complaint" and affidavits in this matter and by having the charges introduced into the record of these PROCEEDINGS; and
- (3) That the Respondent, was advised of his right to subpoena witnesses and documents, to cross examine witnesses, present testimony, evidence and arguments and waived his right to the assistance of an attorney; and
- (4) That as to paragraphs A. and B., of the "Notice of Hearing and Complaint", the Board FINDS AS A FACT, that the Respondent was issued a license to practice pharmacy by the Board, Certificate of Registration Number E-010793, and as such was subject to the jurisdiction of the Board pursuant to Section 73-21-97 paragraph (1), (f), Mississippi Code of 1972, Annotated; and
- (5) That as to paragraph C., of the "Notice of Hearing and Complaint", the Board FINDS AS A FACT that testimony from Pharmacy Board Compliance Agent Sid Seal, the AFFIDAVIT of Pharmacy Board Compliance Agent Sid Seal and the Respondent's oral statements to the Board and other documented evidence as entered into the official record of these PROCEEDINGS established that Respondent had failed to Comply with the LAWFUL ORDER OF THE BOARD of January 21, 2016, by failing to comply with his contract with the Mississippi Association of Recovering Pharmacists (MARP). Specifically, Respondent failed to report for a drug screen within 24 hours of notification

- by an MARP representative and the drug screen submitted by the Respondent on March 31, 2016, had out of range parameters; and
- (7) That the Board was informed of the Respondent's Prior History.

NOW, THEREFORE, PREMISES CONSIDERED, the Board does take the following ACTION:

ACTION OF THE BOARD

That after hearing and considering oral testimony and all other evidence introduced into the official record, a motion was made in open session by Mr. Barrett and seconded by Mr. Tigrett to approve the FINAL ORDER OF THE BOARD as entered into the official record. With Mr. Barrett, Mr. Tigrett, Mr. Calvert and Mr. Farmer voting "YES", with Mr. Ayers "RECUSED", and with Mr. Phillips not present, the motion passed; and

CONCLUSIONS

FURTHER, the Board finds, as noted by the specific findings as listed above, as well as from the evidence presented as a whole, that there is **substantial evidence** that is **clear and convincing** to support the charge as outlined above and as listed in the "Notice of Hearing and Complaint".

IT IS ORDERED:

FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Respondent and a copy placed in his personal file in the office of the Board; and

That the Pharmacist License issued to Bryan M. Treanor (Pharmacist Certificate of Registration No. E-010793) is hereby SUSPENDED pending payment of the cost of investigation in the amount of \$623.54, in accordance with Section 73-21-103, paragraph (1), (d), (iii), and completion of an approved Inpatient Treatment Program from a list of facilities provided by the Mississippi Association of Recovering Pharmacists (MARP); and

That Respondent must reappear before the Board prior to further consideration of reinstatement of Pharmacist Licensure.

SO ORDERED AND ADJUDGED, this the 19th day of May, 2016.

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Came on the matter of William H. Powell, Pharmacist Certificate of Registration Number E-07775, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
IN THE MATTER OF:  
WILLIAM H. POWELL  
710 JAYNESVILLE ROAD  
MT. OLIVE, MS 39119

CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of William H. Powell, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

COMPLAINT COUNT I

LICENSE TO PRACTICE PHARMACY NUMBER E-07775

On April 15, 2016, a "Notice of Hearing and Complaint" was issued on behalf of the Mississippi Board of Pharmacy by Frank E. Gammill, Jr., Executive Director of the Mississippi Board of Pharmacy for service on William H. Powell, Respondent, which "Complaint" charged Respondent with:

1. Violation of ARTICLE XIV, LABELING REQUIREMENTS, paragraph 1., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, on July 23, 2015, Respondent dispensed one-hundred and fifty (150) ml of the prescription drug sulfamethoxazole-tmp and failed to indicate the name of the patient and the name of the prescriber on the label of the dispensed prescription.

PROCEEDINGS

This cause came before the Board on May 19, 2016, at 11:15 a.m., in the office of the Board in the UBS Building at 6360 I-55 North, Suite 400, Jackson, Mississippi pursuant to said "Notice of Hearing and Complaint". The following members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Clayton Farmer and Phil Ayers. Board Member John T. Barrett was "RECUSED" from the proceedings and Board member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the office of Attorney General, served as Counsel for the Board; and

The Respondent, having personally appeared, stated that he had received a copy of the Notice of Hearing and Complaint, that he had read the same, and that he understood the charges. Respondent acknowledged that he understood his right to be represented by counsel and waived that right. Respondent did not desire that there be a formal reading of the Complaint. A true and correct copy of the Notice of Hearing and Complaint, together with all exhibits attached thereto and incorporated therein, was offered into evidence by Counsel for the Board. The Registrant noted that there was no objection to the introduction of the same into the record.

Prior to the hearing date, Respondent requested an Informal Settlement Conference. The members of the Investigative Review Committee (IRC), Mr. Barrett and Mr. Phillips, responsible

for the Order causing the Notice of Hearing and Complaint to be issued, were consulted regarding a settlement agreement to be presented to the full Board. After discussion, the following action was agreed and proposed by the Committee to other Board members present.

\* \* \*

IT IS ORDERED:

PROPOSED FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Respondent and a copy placed in his personal file in the office of the Board; and

That the Pharmacist License issued to William H. Powell (Pharmacist Certificate of Registration No. E-07775), is hereby placed on PROBATION FOR A PERIOD OF SIX (6) MONTHS; and

That pursuant to Section 73-21-103, paragraph (1), (d), (i), Respondent shall pay a monetary penalty in the amount of five-hundred dollars (\$500.00). Said monetary penalty is due and payable in the office of the Board within thirty (30) days of receipt of notice of Board action.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

\* \* \*

That these FINDINGS OF FACT AND CONCLUSIONS OF LAW, as contained herein were not contested by the Respondent; and

NOW, THEREFORE, PREMISES CONSIDERED, the Mississippi Board of Pharmacy, by unanimous vote of those members voting, finds:

FINDINGS OF THE BOARD

- (1) That the Respondent was properly notified of the charges by a duly processed Notice of Hearing and Complaint as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated; and
- (2) That the Respondent made no objection to the timeliness of the "Notice of Hearing and Complaint" or the specificity of the charges; and
- (3) That the Respondent, was advised of his right to subpoena witnesses and documents, to cross examine witnesses, present testimony, evidence and arguments and waived his right to the assistance of an attorney; and
- (4) The Board FINDS AS A FACT that it has jurisdiction and that Respondent does not wish to contest the charges as alleged in the "Notice of Hearing and Complaint", but seeks to settle the matter informally. As the Respondent does not contest the charges, the Board finds:
- (5) That as to paragraphs A. and B., of the "Notice of Hearing and Complaint", the Board FINDS AS A FACT, that the Respondent was issued a license to practice pharmacy by the Board, Certificate of Registration No. E-07775, and as such was subject to the jurisdiction of the Board pursuant to Section 73-21-97 paragraph (1), (f), Mississippi Code of 1972, Annotated; and



- (6) That as to paragraph C., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT that Powell Drug Store is a community independent pharmacy located at 519 Main Street, Mt. Olive, Mississippi. That Powell Drug Store, Mt. Olive, Mississippi was issued Pharmacy Permit No. 00552-01.1 by the Mississippi Board of Pharmacy on the application of William H. Powell. That William H. Powell was the pharmacist-in-charge at Powell Drug Store, Mt. Olive, Mississippi and as such was responsible for all activities subject to regulation by the Board.
- (7) That as to paragraph D., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT that the inspection of Powell Drug Store, Mt. Olive, Mississippi revealed that prescription drugs were dispensed from this location without appropriate labeling. Specifically, on July 23, 2015, Respondent dispensed one-hundred and fifty (150) ml of the prescription drug sulfamethoxazole-tmp and failed to indicate the name of the patient and name of the prescriber on the label of the dispensed prescription.

That a Proposed Final Order of the Board, as recommended by the members of the Investigative Review Committee (IRC), was submitted to the Board for consideration.

#### ACTION OF THE BOARD

That after introduction of the “Notice of Hearing and Complaint” into the official record, no objection by the Registrant to the charges and the presentation of the proposed Informal Settlement of the matter by the Investigative Review Committee (IRC), the Board sustains the charge as outlined above and as contained in the “Notice of Hearing and Complaint” as entered into the official record. A motion was offered by Mr. Ayers and seconded by Mr. Tigrett to ACCEPT the PROPOSED FINAL ORDER OF THE BOARD, as recommended by the Investigative Review Committee (IRC) with the amendment of an addition of a cost of investigation monetary penalty. With Mr. Ayers, Mr. Tigrett, Mr. Calvert and Mr. Phillips voting “YES”, with Mr. Barrett “RECUSED” and Mr. Phillips not present, the motion was approved.

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Respondent and a copy placed in his personal file in the office of the Board; and

That the Pharmacist License issued to William H. Powell (Pharmacist Certificate of Registration No. E-07775), is hereby placed on PROBATION FOR A PERIOD OF SIX (6) MONTHS; and

That pursuant to Section 73-21-103, paragraph (1), (d), (iii). Respondent shall pay the cost of investigation in the amount of \$669.43. Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action; and

That pursuant to Section 73-21-103, paragraph (1), (d), (i), Respondent shall pay a monetary penalty in the amount of five-hundred dollars (\$500.00). Said monetary penalty is due and payable in the office of the Board within thirty (30) days of receipt of notice of Board action.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Came on the matter of Amanda G. Johnson, Pharmacist Certificate of Registration Number E-010799, herein also referred to as Respondent, pursuant to a "Notice of Hearing and Complaint" filed by the Mississippi Board of Pharmacy.

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE MATTER OF:  
AMANDA G. JOHNSON  
127 FOXCHASE DRIVE  
MADISON, MS 39110

CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and person of Amanda G. Johnson, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

STATEMENT OF CHARGES

COMPLAINT COUNT I

LICENSE TO PRACTICE PHARMACY NUMBER E-010799

On March 3, 2016, a "Notice of Hearing and Complaint" was issued on behalf of the Mississippi Board of Pharmacy by Frank E. Gammill, Jr., Executive Director of the Mississippi Board of Pharmacy for service on Amanda G. Johnson, Respondent, which "Complaint" charged Respondent with:

1. Violation of ARTICLE VII, RESPONSIBILITY OF PHARMACIST-IN-CHARGE, paragraph 1., A., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, the inspection of Fred's Pharmacy #1471, Durant, Mississippi revealed that Respondent failed to assure that all personnel were properly registered or licensed with the Board by allowing a Pharmacy Technician to perform technician duties at this location without a current Pharmacy Technician Registration.

2. Violation of ARTICLE XIII, PRESCRIPTIONS TO BE FILED, paragraph 2., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, the inspection of Fred's Pharmacy #1471, Durant, Mississippi, revealed that hard copies of original prescriptions were not maintained by the pharmacy in numerical and chronological order.

3. Violation of ARTICLE XXIII, RECORD KEEPING ON CONTROLLED SUBSTANCES, paragraph 2., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, the inspection of Fred's Pharmacy #1471, Durant, Mississippi revealed

that records of controlled substances in Schedule III, IV and V were not maintained separately or in such a manner that they were readily retrievable from the other business records. Specifically, invoices listing purchases of controlled substances were maintained intermixed with other business records of the pharmacy and were not readily retrievable and a number of invoices were not dated and initialed by the person receiving the order.

4. Violation of ARTICLE XII, PRESCRIPTION/ORDER REQUIRED AND REFILL AUTHORIZATION/RECORDKEEPING, paragraph 1., of the Pharmacy Practice Regulations of the Mississippi Board of Pharmacy. Specifically, the inspection of Fred's Pharmacy #1471, Durant, Mississippi, revealed that on six (6) occasions, Respondent dispensed prescription drugs for personal use pursuant to a prescription document which was not authorized by the prescriber listed on the prescription document.

#### PROCEEDINGS

This cause came before the Board for a Hearing on May 19, 2016, at 11:26 a.m., in the office of the Board in the UBS Building at 6360 I-55 North, Suite 400, Jackson, Mississippi pursuant to said "Notice of Hearing and Complaint". The following members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Clayton Farmer and Phil Ayers. Board Member Phil Ayers was "RECUSED" from the proceedings and Board member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the office of Attorney General, served as Counsel for the Board; and

The Respondent, having personally appeared, stated that she had received a copy of the Notice of Hearing and Complaint, that she had read the same, and that she understood the charges. Respondent acknowledged that she understood her right to be represented by counsel and waived that right. Respondent did not desire that there be a formal reading of the Complaint. Respondent indicated that she was ready to proceed with the hearing of the Charges contained in the Complaint.

The Board heard testimony and evidence regarding the charges as contained in the "Notice of Hearing and Complaint" as presented by the Respondent, Counsel for the Board and Pharmacy Board Compliance Agent Susan McCoy.

A true and correct copy of the Notice of Hearing and Complaint, together with all exhibits attached thereto and incorporated therein, was offered into evidence by Counsel for the Board and marked as Exhibit "1".

True and correct copies of the registration history of Pharmacy Technician Latonya S. Anderson, various photographs of the interior of Fred's Pharmacy #1471, Durant, Mississippi, copies of purchase invoices from Fred's Pharmacy #1471, Durant, Mississippi and a copy of a prescription document listing the Respondent as the patient were offered into evidence by Counsel for the Board and marked as composite Exhibit "2".

A true and correct copy of an e-mail regarding training schedules for Fred's Pharmacy #1471, Durant, Mississippi was offered into evidence by Respondent and marked as Exhibit "3"

A motion was made by Mr. Barrett that the meeting be closed to determine whether or not the Board should declare an Executive Session. With Mr. Barrett, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES", with Mr. Ayers "RECUSED" and Mr. Phillips absent the motion to close the meeting was approved.

A motion was made by Mr. Tigrett that the Board enter executive session to deliberate and/or discuss investigative proceedings regarding allegations of misconduct or violation of law in the Complaint of The Mississippi Board of Pharmacy vs Amanda G. Johnson. A second to the

motion was made by Mr. Barrett and with Mr. Tigrett, Mr. Barrett, Mr. Calvert and Mr. Farmer voting “YES”, with Mr. Ayers “RECUSED” and Mr. Phillips absent, the motion to enter executive session was approved. The Board is now in executive session and the audience was excused.

After deliberation in executive session, a motion was made by Mr. Tigrett to return to open session. A second to the motion was made by Mr. Barrett and with Mr. Tigrett, Mr. Barrett, Mr. Calvert and Mr. Farmer voting “YES”, with Mr. Ayers “RECUSED” and with Mr. Phillips absent, the motion to return to open session was approved. The Board returned to open session.

As a result of the Executive Session, the following FINDINGS OF FACT AND CONCLUSIONS OF LAW were made, as contained herein, and are supported by substantial evidence that is clear and convincing; and

NOW, THEREFORE, PREMISES CONSIDERED, the Mississippi Board of Pharmacy, by unanimous vote of those members voting, finds;

#### FINDINGS OF FACT

- (1) That the Respondent was notified of the charges by a duly processed Notice of Hearing and Complaint as provided for in Section 73-21-99, Mississippi Code of 1972, Annotated; and
- (2) That Respondent made no objection to the timeliness of the “Notice of Hearing and Complaint” or the specificity of the charges; and
- (3) That the Respondent was advised of her right to subpoena witnesses and documents, to cross examine witnesses, present testimony, evidence and arguments and waived her right to the assistance of an attorney; and
- (4) That as to paragraphs A. and B., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that the Respondent was issued a license to practice pharmacy by the Board, Certificate of Registration Number E-010799 and as such was subject to the jurisdiction of the Board pursuant to Section 73-21-97 paragraph (1), (f), Mississippi Code of 1972, Annotated; and
- (5) That as to paragraph C., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT that Fred’s Pharmacy #1471 is a Community Chain pharmacy located at 33674 Highway 12, Durant, Mississippi. That Fred’s Pharmacy #1471, Durant, Mississippi was issued Pharmacy Permit No. 03430-01.2 by the Mississippi Board of Pharmacy on the application of Amanda G. Johnson. That Amanda G. Johnson was the Pharmacist-In-Charge of Fred’s Pharmacy #1471, Durant, Mississippi and as such was responsible for all activities subject to regulation by the Board; and
- (6) That as to paragraph D., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that an inspection conducted at Fred’s Pharmacy #1471, Durant, Mississippi revealed that Respondent failed to assure that all personnel were properly registered or licensed with the Board by allowing a Pharmacy Technician to perform technician duties at this location without a current Pharmacy Technician Registration; and
- (7) That as to paragraph E., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that an inspection conducted at Fred’s Pharmacy #1471, Durant, Mississippi revealed that hard copies of original prescriptions were not maintained by the pharmacy in numerical and chronological order.

- (8) That as to paragraph F., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that an inspection conducted at Fred’s Pharmacy #1471, Durant, Mississippi revealed that records of controlled substances in Schedule III, IV and V were not maintained separately or in such a manner that they were readily retrievable from the other business records. Specifically, invoices listing purchases of controlled substances were maintained intermixed with other business records of the pharmacy and were not readily retrievable and a number of invoices were not dated and initialed by the person receiving the order.
- (9) That as to paragraph G., of the “Notice of Hearing and Complaint”, the Board FINDS AS A FACT, that an inspection conducted at Fred’s Pharmacy #1471, Durant, Mississippi, revealed that on six (6) occasions, Respondent dispensed prescription drugs for personal use pursuant to a prescription document which was not authorized by the prescriber listed on the prescription document.

NOW, THEREFORE, PREMISES CONSIDERED, the Board does take the following ACTION:

#### ACTION OF THE BOARD

That after hearing and considering oral testimony and all other evidence introduced into the official record, the Board sustains the charges as outlined above and as contained in the “Notice of Hearing and Complaint” as entered into the official record.

A motion was offered by Mr. Barrett and seconded by Mr. Tigrett to approve the FINAL ORDER OF THE BOARD, as entered into the official record. With Barrett, Mr. Tigrett, Mr. Calvert and Mr. Farmer voting “YES”, with Mr. Ayers “RECUSED” and Mr. Phillips absent, the motion was approved.

#### CONCLUSIONS

FURTHER, the Board finds, as noted by the specific findings as listed above, as well as from the evidence present as a whole, that there is **substantial evidence** that is **clear and convincing** to support the charges as outlined above and as listed in the “Notice of Hearing and Complaint”.

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Respondent and a copy placed in her personal file in the office of the Board; and

That Amanda G. Johnson (Certificate of Registration Number E-010799) be issued a LETTER OF REPRIMAND; and

That pursuant to Section 73-21-103, paragraph (1), (d), (iii). Respondent shall pay the cost of investigation in the amount of \$844.80. Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action; and

That pursuant to Section 73-21-103, paragraph (1), (d), (ii), Respondent shall pay a monetary penalty in the amount of five-hundred dollars (\$500.00). Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action; and

That Respondent may not be the Pharmacist-In-Charge (PIC) for any facility issued a permit by the Mississippi Board of Pharmacy.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by James P. Bain (Pharmacist Certificate of Registration No. E-06329), herein referred to as "Petitioner".

BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
IN THE PETITION OF:  
JAMES P. BAIN  
1204 BIRMINGHAM RIDGE ROAD  
SALTILLO, MS 38866

#### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of James P. Bain, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

#### PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 1:35 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Mr. Bain. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Phil Ayers and Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board.

Mr. Bain informed the members of the Board that he was requesting reinstatement of his Pharmacist License which was REVOKED by the Board on May 15, 2014, following his Plea of Guilty to the crime of distribution of a mixture and substance containing a detectable amount of Hydrocodone, outside the scope of professional practice and not for legitimate medical purpose. Such crime was in violation of Title 21, United States Code, Sections 841(a)(1) & (b)(1)(E). Mr. Bain further informed the members of the Board that he had completed a period of incarceration and had been released from court mandated probation on January 16, 2016. Mr. Bain provided a number of letters to the Board advocating for his return to the practice of pharmacy.

The Board was informed of Mr. Bain's prior history with the Board.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony and other documentation as presented in this matter, a motion was offered by Mr. Tigrett and seconded by Mr. Farmer to approve the FINAL ORDER OF THE BOARD and to GRANT Mr. Bain's request for reinstatement of his Pharmacist License contingent on completion of certain conditions. With Mr. Tigrett, Mr. Farmer, Mr. Calvert and Mr. Ayers voting "YES", with Mr. Barrett "ABSTAINING" and with Mr. Phillips absent, the motion was APPROVED; and

IT IS ORDERED:

FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in his personal file in the office of the Board; and

That the Petition for reinstatement of the Pharmacist License of James P. Bain (Pharmacist Certificate of Registration No. E-06329) is hereby GRANTED contingent on Mr. Bain's completion of the following conditions:

That pursuant to Section 73-21-103, paragraph (1), (d), (iii), Petitioner shall pay the cost of investigation in the amount of \$360.01 imposed by the Board on May 15, 2014. Said monetary penalty is due and payable in the office of the Board within 30 days of receipt of Notice of Board Action; and

1. That Respondent work as an intern for a Board approved pharmacist and site for twenty (20) clock hours for each year that Respondent was without a Pharmacist License for a total of eighty (80) clock hours; and
2. That Respondent provide a record from the supervising pharmacist showing the satisfactory completion of the intern hours; and
3. That Respondent provide proof of ten (10) hours of continuing education for the current licensing period; and
4. That Respondent pay applicable fees for licensure reinstatement; and
5. That Respondent successfully complete the Multistate Pharmacy Jurisprudence Exam (MPJE).

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by Cammie R. Wilkerson (Pharmacy Technician Registration No. PT-01983), herein referred to as "Petitioner".

BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
IN THE PETITION OF:  
CAMMIE R. WILKERSON  
16001 LARUE ROAD  
VANCLEVE, MS 39565

CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Cammie R. Wilkerson, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 1:53 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Ms. Wilkerson. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Phil Ayers and

Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board; and

Ms. Wilkerson informed the members of the Board that she was requesting reinstatement of her Pharmacy Technician Registration which was SURRENDERED to the Board on August 13, 2010, following her admission to the theft of controlled substances from the institutional pharmacy where she was employed. Ms. Wilkerson informed the members of the Board that she completed treatment for chemical dependency in January 2011 and after treatment continued attendance at AA/NA meetings. Ms. Wilkerson successfully completed the Harrison County Drug Court Program in May of 2015 and received an order of expungement.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony and other documentation as presented in this matter, a motion was offered by Mr. Barrett and seconded by Mr. Ayers to approve the FINAL ORDER OF THE BOARD and to GRANT Ms. Wilkerson's request for reinstatement of her Pharmacy Technician Registration contingent on completion of certain conditions. With Mr. Barrett, Mr. Ayers, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES", and with Mr. Phillips absent, the motion was APPROVED; and

#### IT IS ORDERED:

##### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in her personal file in the office of the Board; and

That the Petition for reinstatement of the Pharmacy Technician Registration of Cammie R. Wilkerson (Pharmacy Technician Registration No. PT-01983) is hereby GRANTED contingent on Ms. Wilkerson's compliance with certain conditions:

That the Pharmacy Technician Registration issued to Petitioner is hereby placed on probation FOR A PERIOD OF TEN (10) YEARS. That during said PROBATION, Petitioner is to be under contract with the Mississippi Association of Recovering Pharmacists (MARP) and must abide with all provisions of the MARP contract; and

That Petitioner is responsible for compliance with application requirements for reinstatement and all applicable fees; and

That Petitioner shall notify the Board of any employment as a pharmacy technician; and Further, that the following conditions and restrictions are placed on Petitioner:

- (1) That Petitioner abstain from the use of alcohol or the unauthorized use of controlled substances or other habit forming legend drugs; and
- (2) That for an indefinite period of time, Petitioner submit a urine specimen when requested by the Board or any agent of the Board of Pharmacy; and
- (3) That for an indefinite period of time, Petitioner submit a serum specimen when requested by the Board or any agent of the Board of Pharmacy; and
- (4) That for an indefinite period of time, Petitioner submit a hair sample when requested by the Board or any agent of the Board of Pharmacy; and
- (5) That during the period of probation, Petitioner must keep the Board informed at all times as to the time and place of her employment as a pharmacy technician; and further,



- that she submit a quarterly report in writing to the Board detailing personal and professional well being; and
- (6) That during the period of probation, Petitioner shall not take any drug, which has not been prescribed for her. That, except in an emergency, before ingesting any drug which has been prescribed, Respondent shall inform the Executive Director or a Compliance Agent orally, by phone or by other means. That she follow this by written notice to the Executive Director of the Board within twenty-four (24) hours, stating the name of the drug ingested, the number and strength of the doses prescribed, the dosage regimen and the name and registration number of the prescriber; and
  - (7) That Petitioner shall be in compliance with all state and federal laws and regulations of the Board; and
  - (8) Further, that Petitioner's Failure to Comply with the Order of the Board or her Contract with the Mississippi Association of Recovering Pharmacists (MARF) will result in the immediate suspension of her Pharmacy Technician Registration.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by April Balius, applicant for a Pharmacy Technician Registration, herein referred to as "Petitioner".

#### BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:  
APRIL BALIUS  
684 ORCHARD DRIVE  
D'IBERVILLE, MS 39540

#### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of April Balius, pursuant to Section 73-21-111, paragraph (2), Mississippi Code of 1972, Annotated.

#### PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 2:12 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Ms. Balius. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Phil Ayers and Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board; and

Ms. Balius informed the members of the Board that she was petitioning the Board for issuance of a Pharmacy Technician Registration. Ms. Balius' application for registration was DENIED by the Investigative Review Committee (IRC) of the Board on January 21, 2016, based on documentation supplied by Ms. Balius with her application indicating that she had been charged with numerous offenses between 1992 and 2013.

The Board heard testimony from Ms. Balius as well as Director of Compliance Cheri Atwood.

### ACTION OF THE BOARD

That after hearing and considering oral testimony and other documentation as presented in this matter, a motion was offered by Mr. Tigrett and seconded by Mr. Ayers to approve the FINAL ORDER OF THE BOARD and to GRANT Ms. Balus' request for issuance of a Pharmacy Technician Registration. With Mr. Tigrett, Mr. Ayers, Mr. Calvert, Mr. Barrett and Mr. Farmer voting "YES", and with Mr. Phillips absent, the motion was APPROVED; and

IT IS ORDERED:

### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in her personal file in the office of the Board; and

That the Petition for issuance of a Pharmacy Technician Registration of April R. Balus is hereby GRANTED.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by Richard M. Grisham (Pharmacy Technician Registration No. PT-011735), applicant for renewal of a Pharmacy Technician Registration, herein referred to as "Petitioner".

### BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:  
RICHARD GRISHAM  
5628 STEFFANI DRIVE  
SOUTHAVEN, MS 38671

### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Richard Grisham, pursuant to Section 73-21-111, paragraph (3), Mississippi Code of 1972, Annotated.

### PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 2:25 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Mr. Grisham. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Phil Ayers and Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board; and

Mr. Grisham informed the members of the Board that he was petitioning the Board for renewal of his Pharmacy Technician Registration.

Mr. Grisham had submitted an application for renewal of his Pharmacy Technician Registration on or about April 6, 2015, and had indicated on his application that he had been charged with a felony, would not be convicted and was waiting for the case to be dismissed. Mr.

Grisham was allowed to renew his Registration and the future renewal was placed on hold pending resolution of this matter. On March 24, 2016, Mr. Grisham's application for renewal of his registration was DENIED by the Investigative Review Committee (IRC) of the Board based on documentation from the Circuit Court of Lafayette County Mississippi reflecting that Mr. Grisham had been placed on PROBATION for a period of forty-eight (48) months, with conditions, following his Order of Non-Adjudication to the offense of Larceny.

The Board considered limited testimony provided Mr. Grisham. Mr. Grisham declined to discuss matters relative to his offense.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony and other documentation as presented in this matter, a motion was offered by Mr. Ayers and seconded by Mr. Barrett to approve the FINAL ORDER OF THE BOARD and to DENY Mr. Grisham's request for renewal of his Pharmacy Technician Registration. With Mr. Ayers, Mr. Barrett, Mr. Calvert, Mr. Tigrett and Mr. Farmer voting "YES", and with Mr. Phillips absent, the motion to DENY was APPROVED; and

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in his personal file in the office of the Board; and

That the Petition for renewal of the Pharmacy Technician Registration of Richard M. Grisham (Pharmacy Technician Registration No. PT-011735) is hereby DENIED.

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by, Ronnie R. Owens, herein referred to as "Petitioner".

BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:  
RONNIE R. OWENS  
1013 ARBOR VIEW CIRCLE  
D'IBERVILLE, MS 39540

#### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Ronnie R. Owens, pursuant to Section 73-21-87, Mississippi Code of 1972, Annotated.

#### PROCEEDINGS

This matter came before the Board for a "PETITION HEARING" at 2:39 p.m., on May 19, 2016, in the office of the Mississippi Board of Pharmacy, 6360 I-55 North, Suite 400, Jackson, Mississippi. The following members of the Board were present: James L. Calvert,

President, Waymon Tigrett, John T. Barrett, Phil Ayers and Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board; and

The Board considered a letter submitted by Mr. Owens to the Board requesting that he be allowed to retake the Multistate Pharmacy Jurisprudence Exam (MPJE). Mr. Owens has taken the exam on a number of occasions since 2011.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony as presented in this matter, no motion was offered by members of the Board; and

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in his personal file in the office of the Board; and

That the Petition of Ronnie R. Owens to retake the Multistate Pharmacy Jurisprudence Examination (MPJE) is hereby "DENIED".

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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Comes now a "PETITION HEARING" as submitted by Pamela H. Stewart (Pharmacist Certificate of Registration No. E-05654), herein referred to as "Petitioner".

#### BEFORE THE MISSISSIPPI BOARD OF PHARMACY

IN THE PETITION OF:  
PAMELA H. STEWART  
1150 HALL'S LANE  
RAYMOND, MS 39154

#### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Pamela H. Stewart, pursuant to Section 73-21-97, paragraph (1), (f), Mississippi Code of 1972, Annotated.

#### PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 2:44 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Ms. Stewart. The following Members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Phil Ayers and Clayton Farmer. Board Member Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board; and

Ms. Stewart appeared before the Board on November 19, 2015, charged with five (5) violations of the Pharmacy Practice Regulations which occurred while Ms. Stewart was the Pharmacist-In-Charge at Patient's Choice Medical Center of Smith County, Raleigh, Mississippi.

As a result of these charges, Ms. Stewart was placed on Probation for a period of two (2) years, ordered to pay costs of investigation and monetary penalties, was prohibited from serving as the Pharmacist-In-Charge for any facility permitted with the Mississippi Board of Pharmacy and required to successfully complete the Multistate Pharmacy Jurisprudence Examination (MPJE) by July 1, 2016.

Ms. Stewart has Petitioned the Board, by letter, for an extension of time to schedule a test date for the MPJE. Ms. Stewart has paid costs of investigation and monetary penalties assessed by the Board.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony and other documentation as presented in this matter, a motion was offered by Mr. Calvert and seconded by Mr. Tigrett to approve the FINAL ORDER OF THE BOARD and to GRANT Ms. Stewart's request for an extension of time to take the MPJE. With Mr. Calvert, Mr. Tigrett, Mr. Barrett, Mr. Ayers and Mr. Farmer voting "YES", and with Mr. Phillips absent, the motion was APPROVED; and

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in her personal file in the office of the Board; and

That the Petition for an extension of time to take the Multistate Pharmacy Jurisprudence Examination (MPJE) of Pamela H. Stewart (Pharmacist Certificate of Registration No. E-05654) is hereby GRANTED until October 1, 2016.

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Comes now a "PETITION HEARING" as submitted by Brandi N. Cornelius, Student Extern/Intern Registration No. S-07215, herein referred to as "Petitioner".

BEFORE THE MISSISSIPPI BOARD OF PHARMACY  
IN THE PETITION OF:  
BRANDI N. CORNELIUS  
103A EAGER STREET  
CLINTON, MS 39056

#### CONCLUSIONS OF LAW

That the Mississippi Board of Pharmacy has jurisdiction of the subject matter and the person of Brandi N. Cornelius, pursuant to Section 73-21-83, paragraph (4), Mississippi Code of 1972, Annotated.

#### PROCEEDINGS

This cause came before the Board for a Petition Hearing on May 19, 2016, at 2:50 p.m., in the Board Meeting Room of the UBS Building, 6360 I-55 North, Suite 400, Jackson, Mississippi, pursuant to the Petition of Ms. Cornelius. The following members of the Board were present: James L. Calvert, President, Waymon Tigrett, John T. Barrett, Clayton A. Farmer and Phil Ayers sitting in regular session of the Mississippi Board of Pharmacy. Board Member

Guy Phillips was not present. The Honorable Geoffrey Morgan, with the Office of Attorney General, served as Counsel for the Board.

Ms. Cornelius Petitioned the Board on March 24, 2016, for extension of her Student Extern/Intern Registration which would expire on March 27, 2016. Ms. Cornelius has previously requested permission from the Board to take the NAPLEX Exam on May 12, 2010, February 24, 2011 and March 22, 2012, and that her request to retake the exam one additional time was DENIED by the Board on January 23, 2013, based on the fact that Ms. Cornelius' Intern Hours earned in the State of Louisiana expired May 9, 2009. On March 27, 2014, the Board GRANTED Ms. Cornelius' request for an extension of her Student Extern/Intern Registration in order for her to complete the 1600 hours of practical experience required for licensure and allowed her to take the NAPLEX exam one additional time following completion of the necessary practical experience hours.

Ms. Cornelius appeared before the Board, on May 19, 2016, in support of her Petition for extension of her Student Extern/Intern Registration. The Board considered testimony from Ms. Cornelius as well as Pharmacy Board Director of Compliance Cheri Atwood.

#### ACTION OF THE BOARD

That after hearing and considering oral testimony as presented in this matter, no motion was offered by members of the Board; and

IT IS ORDERED:

#### FINAL ORDER OF THE BOARD

That this ORDER OF THE BOARD is effective immediately and that the Executive Director, Frank E. Gammill, Jr., cause a certified copy of these PROCEEDINGS and this ORDER of the Board to be served on the Petitioner and a copy placed in her personal file in the office of the Board; and

That the Petition of Brandi N. Cornelius for extension of her Student Extern/Intern Registration No. S-07215, is hereby "DENIED".

SO ORDERED AND ADJUDGED, this the 19th day of May 2016.

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The Board adjourned at 3:05 p.m.

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These May 19, 2016, MINUTES of the Board are hereby approved this the 21st day of July 2016.

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James L. Calvert, President

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Waymon Tigrett

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John T. Barrett

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Clayton A. Farmer

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Phil Ayers

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Frank E. Gammill, Jr., Executive Director